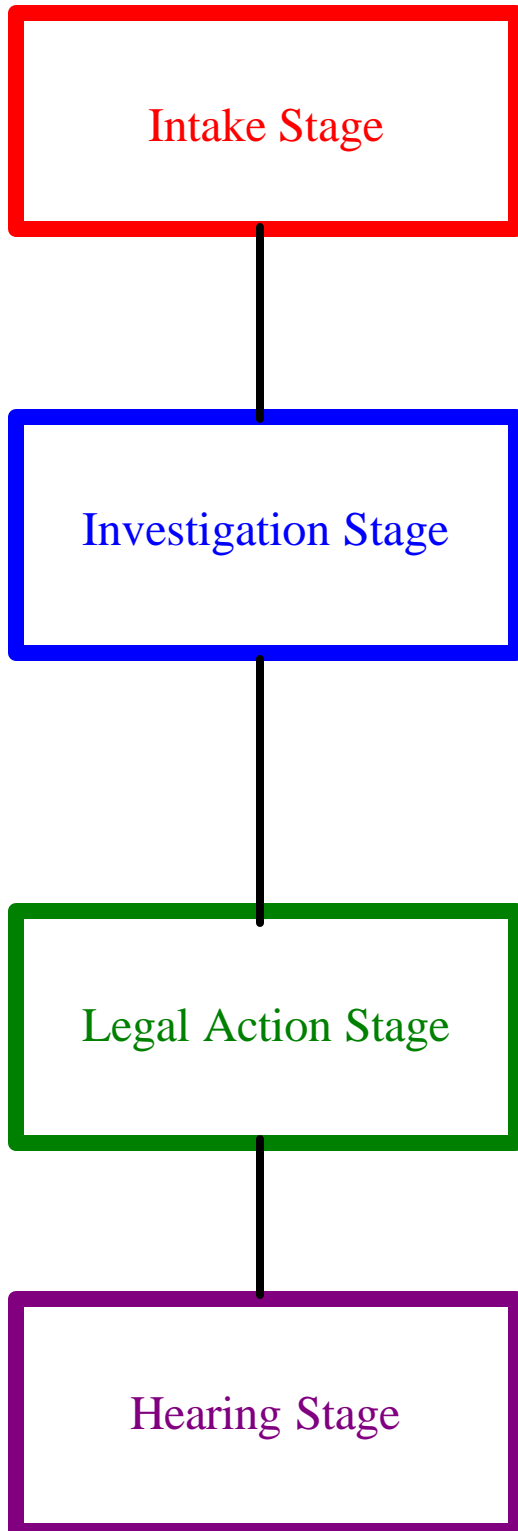# _Outline of the Case Handling Process_

Intake Stage

The **Intake Stage** is the first stage in the case handling process. Complaints are received in the Division of Enforcement (DOE) and processed. Copies of the complaint and related information are then screened by Board Screening Panels and DOE staff to determine if an investigation is warranted. Complaints that do not warrant investigation are closed. Complaints that appear to have merit are identified for investigative action and a case is opened.

Investigation Stage

The **Investigation Stage** is the next stage in the case handling process. The assigned DOE investigator and attorney develop an investigative plan. Investigative staff gather necessary evidence and make contacts with witnesses as needed. The case advisor is consulted on issues requiring professional expertise. The results of the investigation and the attorney's recommendation how to proceed are provided to and discussed with the case advisor. Cases where there is insufficient evidence to prove a violation or that otherwise do not warrant professional discipline are closed. Cases where there is sufficient evidence to establish a violation proceed to the next stage for legal action.

Legal Action Stage

The third stage is the **Legal Action Stage**. In this stage, the DOE prosecuting attorney pursues appropriate resolution of the disciplinary action. Cases may resolve by means of stipulated agreements, informal settlement conferences or administrative warnings. The case advisor will be asked for assistance on matters involving professional expertise and for their opinion on appropriate case resolution.

Hearing Stage

The fourth stage is the **Hearing Stage**. This is a formal legal process. The DOE attorney litigates the case before an administrative law judge (ALJ). The ALJ issues a proposed decision which is reviewed by the credentialing board. If a violation is found, discipline may be imposed. Disciplinary orders may include reprimand, limitation, suspension and revocation. Orders are monitored for compliance by the DOE monitoring staff.

Steps in the Case Handling Process*

Complaint Received.

*This outline represents the major steps in the Case Handling Process.

Case Closed at Intake. A letter of education may be sent.

Case Screening Process.

Initial Complaint sent to Case Advisor.

Case Opened for Investigation.

Atty. and Investigator Supervisor review and staff assignments made.

Investigator and Attorney must consult on the course of the investigation.

Case Advisor initial review.

Initial investigative contacts.

Investigation essentially completed. Information sent to Case Advisor.

Staff and Case Advisor may recommend formal action. Should identify issues, evidence and range of discipline.

Staff and Case Advisor may recommend case for closure. Identify specific rationale and reason for closure.

Attorney or Case Advisor may recommend that more investigation take place. Results resubmitted.

Atty. and Case Advisor must consider if there are appropriate methods to resolve case short of hearing including use of ISCs and stipulated agreements.

Resubmit to Advisor if Expert recommends closure.

Retain Expert Witness if necessary.

Filing of formal complaint and beginning of formal hearing process.